



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kummer et al.

Serial No. 10/687,436

Art Unit: 1755

Filed: 10/16/2003

Examiner: C. Koslow

For: Phosphor for Light Sources and Associated Light Source

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on

August 5, 2005
Robert F. Clark
Robert F. Clark Reg. No. 33,853

TERMINAL DISCLAIMER UNDER 37 CFR 1.321

The owners, Patent-Treuhand-Gesellschaft fuer Elektrische Gluehlampen mbH and OSRAM Opto Semiconductors GmbH & Co. oHG, of 100 percent interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,504,179. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Please charge the required fee of \$130.00 to Deposit Account No. 15-0685.

Respectfully submitted,

Robert F. Clark

Robert F. Clark
Reg. No. 33,853

OSRAM SYLVANIA Inc.
100 Endicott St.
Danvers, MA 01923